

East Kingston

L A W S

OF

NEW-HAMPSHIRE,

SECURING TO THE CITIZENS

THEIR RIGHTS OF SUFFRAGE.

—*—
Published by Authority.
—*—

New Hampshire. Laws statutes, &c.

Concord :

PRINTED BY GEORGE HOUGH, FOR THE STATE,
1814.

JK 1863
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1814

RESOLVED, That the Secretary of this State be directed to procure five hundred printed copies of the "Act, more effectually to secure to the citizens of this State their rights of suffrage," and of the act in addition and amendment thereof, and forward by mail, as soon as may be, one copy of the same to the selectmen of each town in this State, and to each member of the Senate, and to each member of the House of Representatives.

STATE OF NEW-HAMPSHIRE.

In Senate, June 24, 1814:

The foregoing Resolve was read and accepted:
Sent down for concurrence.

M. P. PAYSON, President.

In the House of Representatives, the same day:
Read and concurred.

EDMUND TOPPAN, Speaker, *pro tem.*

Approved, June 24, 1814.

J. T. GILMAN, Governor.

A true copy.

Attest...

ALBE CADY, Secretary.

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L A W S.

An Act,

More effectually to secure to the citizens of this State their rights of suffrage. *Passed June 23, 1813.*

§ 1. *BE it enacted, by the Senate and House of Representatives in General Court convened,*
That every male inhabitant of each town, and parish with town privileges, and places unincorporated, in this State, being a natural born or naturalized citizen of the United States, of twenty-one years of age, or upwards, excepting paupers, and persons excused from paying taxes at their own request, shall have a right, at the annual and other meetings of the inhabitants of said towns and parishes, to vote in the town or parish wherein he dwells and has his home. *Citizens to vote where they dwell.*

§ 2. *And be it further enacted,* That the selectmen of the several towns and parishes aforesaid, shall lodge with the clerk of the town or parish, and shall cause to be posted up in some public place or places within such town or parish, fifteen days prior to any town meeting for the choice of State and County officers, Representatives to Congress, or Electors of President and Vice-President of the United States, an alphabetical list of all the legal voters in such town or parish; and it shall be the duty of the selectmen to place on said list the name of any legal voter which may *An alphabetical list of voters to be posted up in the towns.*

Check in voting.

Moderator to decide.

Who to sort and count votes.

Avenues to be kept clear.

Boxes to be provided.

How to vote.

Moderator not to inspect

have been omitted, on receiving satisfactory evidence thereof: and at every town meeting, for the purposes aforesaid, the town clerk shall check on said list the name of each voter; and in case any person shall offer to vote, whose name is not on said list, the moderator, in presence of the selectmen whose duty it shall be to attend, shall decide whether such person be a legal voter; and if it be determined that such person is entitled to vote at said meeting, his name shall be entered on said list, and checked in manner aforesaid. And the selectmen and town clerk shall assist in sorting and counting the ballots; but no other person shall in any wise interfere therewith. And it shall be the duty of the moderator of any town meeting, to cause the avenues to and from the place of voting to be kept clear, so that the legal voters may have access thereto, and pass without interruption.

§ 3. *And be it further enacted,* That the selectmen of the several towns and parishes aforesaid shall provide, at the expense of such towns and parishes, a suitable box, or boxes, to receive the ballots of the legal voters; on which ballots shall be written or printed the name or names of the person or persons voted for; and the ballots shall be given in, in the manner following—that is to say: each voter shall deliver his ballot to the moderator, in open town meeting; and the moderator, on receiving the ballot, shall direct the town clerk to check the name of the voter, on the list to be provided as aforesaid; and the moderator shall, without inspecting the name or names

of the person or persons voted for, examine the ballot so far as to determine whether the same contains more than one ticket; and if it do not, he shall place it in the balloting box: but if said ballot contains more than one ticket, the moderator shall make it manifest to the meeting, and reject the same.

§ 4. *And be it further enacted,* That it shall be the duty of the moderator of any town meeting, held for the choice of State and County officers, Representatives to Congress, or Electors of President and Vice-President of the United States, to declare, in open town meeting, at the close of the poll, the state of the vote or votes; and no ballot shall be received and counted after the state of the votes shall have been declared as aforesaid.

§ 5. *And be it further enacted,* That during the day on which any town meeting shall be holden for the choice of State and County officers, Representatives to Congress, or Electors of President and Vice-President of the United States, no inhabitant of any town or parish, who is entitled to vote therein, shall be liable to arrest on any civil process whatever.

§ 6. *And be it further enacted,* That the number of ballots for Governor, Councillor, and Senator, shall be returned to the office of the Secretary of State, on distinct pieces of paper; and the return shall be signed by the town clerk, and in substance in the form following, viz.

names, but may examine ballots.

Moderator to declare state of votes.

No voter liable to arrest for debt.

Returns to be made on distinct pieces of paper.

*Form of re-
turns.*

"At a legal town meeting, duly notified and holden at - - - -, on the - - - day of - - - -, in the year - - - -, the following votes were given in for - - - -, which votes have been declared in open town meeting.

A true copy of record.

Attest ...

- - - - - Town Clerk."

*Liquors not
to be given
to voters.*

on penalty.

§ 7. *And be it further enacted,* That if any person or persons, in any town in this State, shall, directly or indirectly, give spirituous liquors to the voters of any such town, on the day of election, or at any prior or subsequent period, and it shall be made to appear that the same was done with a view to influence the election, or as a treat for their suffrage, or the honors bestowed on any candidate in the election ; such person shall be deemed and considered as guilty of a breach of this act, and be liable to pay a fine not exceeding forty dollars, to be recovered on complaint before any Court of competent jurisdiction, or on indictment of the grand jury before the Superior Court, for the use of the county in which the offence is committed.

*Clerk to read
this act.*

§ 8. *And be it further enacted,* That it shall be the duty of the town clerk, in every town in this State, at the opening of every town or district meeting, when and where any of the foregoing officers are to be voted for, and before the business of such meeting is entered upon, to read this act, or cause it to be read, in said meeting.

§ 9. *And be it further enacted,* That in State and County officers to be voted for on one ticket. balloting at any town meeting, for State and county officers, the moderator shall call for the ballots for Governor, Councillor, Senator, County Treasurer, and Register of Deeds, or so many of said officers as it shall be necessary to vote for at said meeting, to be given in on the same ticket, with the respective offices designated against the name of the person voted for ; and the same mode shall be observed in voting for Representatives to Congress, and Electors of President and Vice-President, as is by this act provided in voting for State and county officers, with the exception that the votes for Electors of President and Vice-President shall be brought in on one piece of paper or ticket, and those for Representatives to Congress on another. *Electors and Representatives.* *Provided, however,* *Proviso:* That in voting for all of the aforesaid officers, no person shall be obliged to vote for every officer to be elected.

STATE OF NEW-HAMPSHIRE.

In the House of Representatives, June 18, 1813.

The foregoing bill having had three several readings, passed to be enacted.

Sent up for concurrence.

THO. W. THOMPSON, Speaker.

In Senate, June 23, 1813.

This bill having been read a third time, was enacted.

OLIVER PEABODY, President.

Approved June 23, 1813.

J. T. GILMAN, Governor.

An Act,

In addition to, and in amendment of an act, entitled,
 "An act, more effectually to secure to the citizens of this State their rights of suffrage."

Passed June
 24, 1814.

§ 1. *BE it enacted, by the Senate and House of Representatives in General Court convened,*
 That if any person, at any meeting of any town or parish in this State, holden for the choice of any State or County officers, Representatives to the General Court, Representatives to Congress, or Electors of President and Vice-President of the United States, or any other officer or officers usually chosen by ballot, shall give in more than one vote or list for any officer or list of officers, then voted for at such meeting, he shall, for each and every vote or list of votes so put in, forfeit and pay the sum of thirty dollars; to be recovered by action, one moiety thereof to the use of the town or parish where the offence may be committed, and the other moiety thereof to the use of the person suing for the same.

Penalty for giving more than one vote, or list of votes.

For giving false answers or false names.

§ 2. *And be it further enacted,* That if any person shall give any false answer or false name to the officer presiding at such meeting, while receiving evidence of the qualifications of any person, as aforesaid, he shall, for each and every such offence, forfeit and pay the sum of ten dollars; to be recovered by action, one moiety thereof for the use of the town or parish where the offence may be committed, and the other moiety thereof to the use of the person suing for the same.

§ 3. *And be it further enacted,* That the selectmen of any town or parish in this State, who shall neglect or refuse to make, post up, and lodge with the town clerk of the town or parish to which they may belong, a list of the legal voters in said town or parish, agreeably to the provisions of the second section of the act to which this is an addition, shall forfeit and pay a sum not exceeding one hundred dollars, nor less than ten dollars, to be recovered in any Court proper to try the same; one moiety thereof to the use of the person who may sue therefor, and the other to the town or parish where such offence may be committed.

Penalty for selectmen neglecting or refusing to post up list of votes.

§ 4. *And be it further enacted* That if the selectmen of any town or parish, as aforesaid, shall at any time after the posting up of the list of voters in such town or parish, as mentioned in the second section of the act to which this is an addition, and before the day of the town or parish meeting for the choice of the officers aforesaid, on application for that purpose, and on receiving satisfactory evidence that any person, whose name is on said list, is not legally qualified to vote for said officers, refuse to strike and erase from said list the name of any such person; or, if such selectmen shall refuse to hear and examine any evidence that may be offered or produced before them, within the time aforesaid, for the purpose of proving the want of qualifications in any person whose name may be placed upon said list as aforesaid,

Penalty for refusing to erase from the lists the names of illegal voters,

or to hear evidence of the want of qualifications in any persons whose names are on the lists.

said; they shall, in either case, and for each and every such offence, forfeit and pay the sum of twenty dollars; to be recovered by action, one moiety thereof to the use of the person suing for the same, and the other moiety thereof to the use of the town or parish where the offence may be committed.

Penalty for moderator who shall fraudulently receive and count illegal votes, or fraudulently reject legal votes. § 5. *And be it further enacted,* That if the moderator of any town or parish meeting as aforesaid, shall fraudulently receive and count any vote or ballot given in by any person, knowing such person not to be a legal voter in such town or parish at the time; or, if the moderator of such town or parish meeting shall fraudulently reject or refuse to receive and count the ballot offered or given in by any person, knowing such person to be legally qualified to vote in such town or parish; he shall, in either case, and for each and every such offence, forfeit and pay a sum not exceeding fifty dollars, nor less than ten dollars; to be recovered by action, one moiety thereof to the use of the person suing for the same, and the other moiety thereof to the use of the town or parish where the offence was committed.

Persons under 21 years of age voting—

Penalty therefor.

§ 6. *And be it further enacted,* That if any person, under the age of twenty-one years, at any meeting of any town or parish as aforesaid, shall give in any vote or ballot for any officer, or list of officers, then voted for at such meeting as aforesaid, such person, under the age of twenty-one years, so voting, shall, for each and every such offence, forfeit and

pay the sum of ten dollars, to be recovered in an action of trespass, in any Court proper to try the same; one moiety thereof to the use of the person suing for the same, and the other moiety to the use of the town or parish in which the offence was committed.

§ 7. *And be it further enacted*, That if any alien, not naturalized, at any meeting of any town or parish as aforesaid, shall give in any vote or ballot for any officer, or list of officers, then voted for at such meeting as aforesaid, such alien, not naturalized, so voting, shall, for each and every such offence, forfeit and pay the sum of thirty dollars; to be recovered by action, in any Court proper to try the same; one moiety thereof to the use of the person suing for the same, and the other moiety thereof to the use of the town or parish where the offence was committed.

Aliens, not naturalized, not to vote.

on penalty.

§ 8. *And be it further enacted*, That all actions for the penalties and forfeitures in this act mentioned, shall be commenced within six months after the offence is committed, and not afterwards.

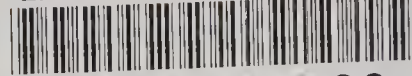
Forfeitures under this act to be prosecuted within six months.

§ 9. *And be it further enacted*, That the first section of an act, entitled, "An act to prevent undue influence and fraud in town meetings, and in the choice of town and State officers," passed the 14th day of June, A. D. 1799, be, and the same is hereby, repealed.

Repeal.

§ 10. *And be it further enacted*, That it shall be the duty of the town clerk, in every town in this State, at the opening of every town or district meeting, when and where any

Duty of town clerks to read this act.



of the foregoing officers are to be voted for, and before the business of such meeting is entered upon, to read this act, or cause it to be read, in said meeting.

STATE OF NEW-HAMPSHIRE.

In the House of Representatives, June 23, 1814.

The foregoing bill having had three several readings, passed to be enacted.

Sent up for concurrence.

EDMUND TOPPAN, Speaker, pro tem.

In Senate, June 23, 1814.

This bill having been read a third time, was enacted.

M. P. PAYSON, President.

Approved June 24, 1814.

J. T. GILMAN, Governor.

A true copy.

Attest....

ALBE CADY, Secretary.